

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff;

vs

Cr. No. 98-009 (CCC)

ORLANDO ROSAS RODRIGUEZ,
Defendant.

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U.S. DISTRICT COURT
SAN JUAN, PR

DEFENDANT'S PRO SE MOTION AMMENDING THE DEFENSES
"MOTION FOR LEAVE TO REPLY TO DOCKET 601 AND
REPLY THERETO"

COMES NOW the Defendant ORLANDO ROSAS RODRIGUEZ
Pro se by special visitation, asking and begging this
Honorable Court to allow the following ammendments:

1. In caption 6 (b) the motion reads "the Defendant was incarcerated at MDC Guaynabo ever since June 4, 1997.." The Defendant contends that date is irrelevant, rather the Defendant wishes to ammend the date to be May 14, 1999. The Defendant's understanding of the date May 14, 1999 is pursuant to the **GRANTED**, "MOTION REQUESTING PERMISSION TO HAVE MAGISTRATE DELGADO TAKE CHANGE OF PLEA AND FOR CONSOLIDATION OF CASES".
2. While it is true, the Defendant had been held in the MDC Guaynabo since June 4, 1997, the Defendant is not seeking time from that date. Subsequently the Defendant had been serving a state sentence as such he

would not be elligible for credit from his state sentence to be applied to his Federal sentence. The Defendant, after meeting with BOP employees, specifically Mr. Caban, was told in connection with the "ORDER TO CONSOLIDATE", to reflect May 14, 1999 (entered / GRANTED) August 19, 1998, that in order for BOP to correctly calculate to reflect a consolidation, that the Court would have to issue a NUNC PRO TUNC AMENDMENT.

3. **At no time** the Defendant ever questionated BOP Policy. The Defendant approached the court **only after directed by BOP**. Not in any hostile act, and for that matter not challenging BOP, simply complying with their direction: to seek a NUNC PRO TUNC AMENDMENT.

WHEREFORE the Defendant ORLANDO ROSAS RODRIGUEZ Pro se by special visitation prays this Honorable Court will consider the foregoing ammendments.

Respectfully Submitted,

3-02-06

Date

Orlando Rosas Rodriguez

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